

Message

From: Fairbanks, Brianna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8245A7918577465BB6825C57AA2BEE9C-BFAIRBAN]
Sent: 2/17/2021 11:52:11 PM
To: Azad, Ava [Azad.Ava@epa.gov]; Sanchez, Yolanda [Sanchez.Yolanda@epa.gov]
CC: Praskins, Wayne [Praskins.Wayne@epa.gov]; Simes, Benjamin [Simes.Benjamin@epa.gov]; Cooke, Maryt [Cooke.Maryt@epa.gov]
Subject: RE: Follow on meeting

I think Ava's edit is correct and I have no further comments.

From: Azad, Ava <Azad.Ava@epa.gov>
Sent: Wednesday, February 17, 2021 3:51 PM
To: Sanchez, Yolanda <Sanchez.Yolanda@epa.gov>; Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>
Cc: Praskins, Wayne <Praskins.Wayne@epa.gov>; Simes, Benjamin <Simes.Benjamin@epa.gov>; Cooke, Maryt <Cooke.Maryt@epa.gov>
Subject: RE: Follow on meeting

Hi Yolanda,

Your paragraph looks good to me. I think a word is missing in one part—see my red text below.

Ex. 5 Attorney Client (AC)

Thanks,
Ava

Ava Azad
Attorney-Advisor
Federal Facilities Enforcement Office, 2209B
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, NW (MC 2261A)
Washington, D.C. 20460
P: (202) 564-4473
F: (202) 501-0069

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From: Sanchez, Yolanda <Sanchez.Yolanda@epa.gov>
Sent: Tuesday, February 16, 2021 5:45 PM
To: Azad, Ava <Azad.Ava@epa.gov>; Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>
Cc: Praskins, Wayne <Praskins.Wayne@epa.gov>; Simes, Benjamin <Simes.Benjamin@epa.gov>; Cooke, Maryt <Cooke.Maryt@epa.gov>
Subject: RE: Follow on meeting

Brianna and Ava,

Ex. 5 Attorney Client (AC)

Yolanda Sanchez
U.S. EPA || Community Involvement for Superfund
Desk: 415-972-3880

From: Azad, Ava <Azad.Ava@epa.gov>
Sent: Friday, February 5, 2021 11:56 AM
To: Sanchez, Yolanda <Sanchez.Yolanda@epa.gov>; Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>
Cc: Praskins, Wayne <Praskins.Wayne@epa.gov>; Simes, Benjamin <Simes.Benjamin@epa.gov>; Cooke, Maryt <Cooke.Maryt@epa.gov>
Subject: RE: Follow on meeting

Hi all,

I just saw my sent message and it looks like the formatting of the images I pasted from the FFA changed and some of the text cut off.

Trying again...

Ava Azad
Attorney-Advisor
Federal Facilities Enforcement Office, 2209B
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, NW (MC 2261A)
Washington, D.C. 20460
P: (202) 564-4473
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From: Azad, Ava

Sent: Friday, February 05, 2021 2:53 PM

To: Sanchez, Yolanda <Sanchez.Yolanda@epa.gov>; Fairbanks, Brianna <fairbanks.brianna@epa.gov>

Cc: Praskins, Wayne <Praskins.Wayne@epa.gov>; Simes, Benjamin <Simes.Benjamin@epa.gov>; Cooke, Maryt <Cooke.Maryt@epa.gov>

Subject: RE: Follow on meeting

Ex. 5 Attorney Client (AC)

12.8 The pendency of any dispute under this Section shall not affect any Party's responsibility for timely performance of the work required by this Agreement, except that the time period for completion of work affected by such dispute shall be extended for a period of time usually not to exceed the actual time taken to resolve any good faith dispute in accordance with the proce-

dures specified herein. All elements of the work required by this Agreement which are not affected by the dispute shall continue and be completed in accordance with the applicable timetable and deadline or schedule.

Ex. 5 Attorney Client (AC)

12.9 When dispute resolution is in progress, work affected by the dispute will immediately be discontinued if the Hazardous Waste Management Division Director for EPA Region 9 requests, in writing, that work related to the dispute be stopped because, in EPA's opinion, such work is inadequate or defective, and such inadequacy or defect is likely to yield an adverse effect on human health or the environment, or is likely to have a substantial adverse effect on the remedy selection or implementation process. The State may request the EPA Hazardous Waste Management Division Director to order work stopped for the reasons set out above. To the extent possible, the Party seeking a work stoppage shall consult with the other Parties prior to initiating a work stoppage request. After work stoppage, if a Party believes that the work stoppage is inappropriate or may have potential significant adverse impacts, the Party may meet with the other Parties to discuss the work stoppage. Following this meeting, and further considerations of this issue the EPA Hazardous Waste Management Division Director will issue, in writing, a final decision with respect to the work stoppage. The final written decision of the EPA Hazardous Waste Management Division Director may immediately be subject to formal dispute resolution. Such dispute may be brought directly to either the DRC or the SEC, at the discretion of the Party requesting dispute resolution.

Ex. 5 Attorney Client (AC)

I'd be happy to participate in a staff call, if we'd like to discuss any of these items further.

Thanks,
Ava

Ava Azad
Attorney-Advisor
Federal Facilities Enforcement Office, 2209B
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, NW (MC 2261A)
Washington, D.C. 20460
P: (202) 564-4473
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From: Sanchez, Yolanda <Sanchez.Yolanda@epa.gov>
Sent: Friday, February 05, 2021 2:34 PM
To: Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>; Azad, Ava <Azad.Ava@epa.gov>
Cc: Praskins, Wayne <Praskins.Wayne@epa.gov>; Simes, Benjamin <Simes.Benjamin@epa.gov>; Cooke, Maryt <Cooke.Maryt@epa.gov>
Subject: RE: Follow on meeting

Thank you, Brianna.

Ex. 5 Attorney Client (AC)

Below is the specific language from the Navy's December 11, 2020, letter. Note the assertion was for all ongoing remediation work, not just the radiological retesting. The Navy is doing chemical remediation in many parts of the site.

The DON does not have a viable path forward for remediation of the buildings at HPNS using the cleanup values provided by the EPA. Remediation using the proposed BPRG values would require the DON to demolish all subject buildings, including useable, non-radiologically impacted buildings, at a cost of \$300M or more, depending on the waste characterization. It will also delay progress for many years, impacting the City of San Francisco's development efforts. Until this issue is resolved, the DON may need to consider pausing all ongoing remediation work in order to assess how our collective inability to move forward with resurveying the buildings impacts the remaining property cleanup and transfers. The DON requests that the EPA reconsider evaluation of building remedial goals using RESRAD Build to allow the rescanning of buildings to proceed. This work has been contracted, planned, and mobilization could start in January 2021.

Yolanda

From: Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>
Sent: Friday, February 5, 2021 11:25 AM
To: Sanchez, Yolanda <Sanchez.Yolanda@epa.gov>; Simes, Benjamin <Simes.Benjamin@epa.gov>; Cooke, Maryt <Cooke.Maryt@epa.gov>
Cc: Azad, Ava <Azad.Ava@epa.gov>; Praskins, Wayne <Praskins.Wayne@epa.gov>
Subject: RE: Follow on meeting

Ex. 5 Attorney Client (AC)

From: Sanchez, Yolanda <Sanchez.Yolanda@epa.gov>

Sent: Friday, February 5, 2021 11:14 AM

To: Simes, Benjamin <Simes.Benjamin@epa.gov>; Cooke, Maryt <Cooke.Maryt@epa.gov>; Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>

Cc: Azad, Ava <Azad.Ava@epa.gov>; Praskins, Wayne <Praskins.Wayne@epa.gov>

Subject: RE: Follow on meeting

Ex. 5 Deliberative Process (DP)

I'll touch base with Brianna, as I failed to include her on the invitation for this morning's meeting with HQ (I'm sorry-Brianna!).

Yolanda Anita Sanchez, MS, MPA
US Environmental Protection Agency
Community Involvement for Superfund
E-mail: sanchez.yolanda@epa.gov | | Desk: 415-972-3880

Be safe. Stay in place. Maintain your space. Cover your face (when interacting).

From: Simes, Benjamin <Simes.Benjamin@epa.gov>

Sent: Friday, February 5, 2021 11:04 AM

To: Cooke, Maryt <Cooke.Maryt@epa.gov>; Sanchez, Yolanda <Sanchez.Yolanda@epa.gov>

Cc: Azad, Ava <Azad.Ava@epa.gov>

Subject: RE: Follow on meeting

Mary,

You should ask Ava, seems like a FFEO question. I cced her.

Thanks,

Benjamin Simes, CHMM
US EPA, OLEM
Federal Facilities Restoration and Reuse Office
202-564-0527 D
571-302-6189 C
202-564-0771 F

From: Cooke, Maryt <Cooke.Maryt@epa.gov>

Sent: Friday, February 5, 2021 1:56 PM

To: Sanchez, Yolanda <Sanchez.Yolanda@epa.gov>; Simes, Benjamin <Simes.Benjamin@epa.gov>

Subject: Follow on meeting

Ex. 5 Deliberative Process (DP)
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Mary T. Cooke
Environmental Protection Agency
Office of Land and Emergency Management
Federal Facilities Restoration and Reuse Office – 5106R
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N. W.
Washington, DC 20460

Phone: 202-564-0788